IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 20271 of 2004

Between:

Bokka Madhava Rao, s/o late Mutyala Rao,
c/o Kota Rama Krishna Rao, r/o Quarter No.S&C/Type.IV/3-B,
Opp:Railway Stadium, Railway New Colony, Visakhapatnam.

..... PETITIONER

AND

1 The Government of Andhra Pradesh,

rep., by its Secretary, Endowment Department,
Secretariat, Hyderabad.
2 The Commissioner, Endowments Department,
Hyderabad.
3 The Varaha Lakshmi Narasimha Devasthanam,

rep., by its Executive Officer,
Simhachalam, Visakhapatnam.
4 The Land Regularization Committee,

rep., by Chairman & Joint Collector, The Varaha Lakshmi Narasimha
Devasthanam, Simhachalam, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or order or direction declaring the impugned action of the respondents in not disposing of the representation/application dated 26-05-2004 under the GO Ms.No.578 dated 19-8-

2000 by fixing the market value to be paid to the respondents as illegal, arbitrary and in violation of the principles of natural justice apart from violative of fundamental rights guaranteed under Article 14 of the Constitution of India consequentially direct the respondents to forthwith fix the value for the petitioner's land following the GO Ms.No.578 dated 19-8-2000.

Counsel for the Petitioner: MR.CH.SUDHAKAR BABU

Counsel for the Respondents 1 and 2: GP FOR ENDOWMENTS

Counsel for the Respondents 3 and 4: MR.M.ADINARAYANA RAJU

The Court made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents 3 and 4.

The petitioner claims to be absolute owner of the land to an extent of Ac.8.50 cents situated in Sy.No.275/P, covered under Patta No.88 of Adavivaram Village, Visakhapatnam. It appears that 3rd respondent published a notice in the local daily inviting applications for regularization of Simhachalam Devasthanam lands by the occupants under G.O.Ms.No.578, dated 19-08-2000. The petitioner states that in pursuance thereof, he made an application on 26-05-2004 expressing his willingness to pay the amount as fixed by the respondents. The only grievance of the petitioner is that the respondents failed to consider the same and so far no orders have been passed.

Having heard the learned counsel appearing for both parties and on perusal of record, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the representation made by the petitioner dated 26-05-2004 and to pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

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04-11-2004

Note : Issue C.C by tomorrow.

B/o.

vs

To

1 The Secretary, Government of Andhra Pradesh,

Endowment Department,
Secretariat, Hyderabad.
2 The Commissioner, Endowments Department,
Hyderabad.
3 The Executive Officer, Varaha Lakshmi Narasimha Devasthanam,

Simhachalam, Visakhapatnam.
4 The Chairman & Joint collector, Land Regularization Committee,

Varaha Lakshmi Narasimha
Devasthanam, Simhachalam, Visakhapatnam.

5 2CCs to the G.P for Endowments, High Court Buildings,

Hyderabad(O.U.T)

6 2CD copies